

**An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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**Robert McLoughlin
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2-4, Merrion Row
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**NOTIFICATION OF DECISION TO GRANT PERMISSION
PLANNING AND DEVELOPMENT ACT 2000 (as amended) & PLANNING
REGULATIONS THEREUNDER**

Decision Order Number: 1644	Date of Decision: 20-Dec-2021
Register Reference: SD21A/0291	Date: 26-Oct-2021

Applicant: Liffey Valley Management Limited

Development: Amendments to the permitted development previously granted under SDCC Ref. SD19A/0320 and An Bord Pleanála Ref. 306251-19; including the erection of 2 bus shelters on Fonthill Road each comprising of a bus stop sign, real time passenger Information (RTPI) unit and a two-sided internally illuminated advertising panel (c. 1.9sq.m each side); road alterations on Fonthill Road comprising of the amendment of staggered to straight Toucan crossings, the addition of a new straight Toucan crossing, the replacement of bus lay-by areas with bus islands, and the removal of a left slip lane; all associated site services and site development works.

Location: Liffey Valley Shopping Centre, Fonthill Road, Clondalkin, Dublin 22

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: /

**Clarification of Additional /
Information Requested/Received:**

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, for the reasons set out in the First Schedule hereto, to **GRANT PERMISSION** for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the condition(s) set out hereunder is thereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons:

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Parent Permission.
(a) This permission shall expire upon the expiry of permission Reg. Ref. SD19A/0320 and An Bord Pleanala Ref. 306251-19, subject to any extension thereof.
(b) The conditions attached to the permission referenced in part (a) shall apply to this permission, save as may be required by these conditions.
REASON: To ensure integration with the existing planning permission and to specify the date on which the permission shall expire and clarify the conditions attached to the development.
3. Agree Design of Toucan Crossings
Prior to the commencement of works on the Toucan crossings, the applicant shall submit a design proposal for the written agreement of the Planning Authority. The crossing design should include full demonstration to the Planning Authority that the design is in accordance with enacted regulations.
REASON: In the interest of pedestrian and cyclist safety and the proper planning and sustainable development of the area.
4. Drainage.
(a) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

(b) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate drainage provision.

5. Irish Water Connection Agreement.

(a) Where relevant, prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

(b) The applicant shall ensure that there are suitable setback distance from proposed development to any adjacent watermains.

(c) The applicant shall ensure that there are suitable setback distance from proposed development to any adjacent foul sewers.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.


The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.


for **Senior Planner** **20-Dec-2021**

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations. 200 I should be consulted.

(B) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal..... €110.00
 - (f) Appeal following a grant of leave to appeal..... €110.00
 - (g) Referral €220.00
 - (h) Reduced fee (payable by specified bodies) €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100